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(to be used for all correspondence after initial filing)

Application Number	10/574,112	
Filing Date	March 31, 2006	
Inventor(s)	Masashi MORI, et al.	
Group Art Unit	1632	
Examiner Name	Unassigned	
Attorney Docket Number	12480-000176/US	

			-			
ENCLOSURES (check all that apply)						
Fee Transmittal Fo	om	Assignment Papers (for an Application)			After Allowance Communication to Group	
Fee Attached		Letter to the Official Draftsperson and Sheets of Formal Drawing(s)		BF	ETTER SUBMITTING APPEAL RIEF AND APPEAL BRIEF (w/clean ersion of pending claims)	
Amendment		Licensing-re	Licensing-related Papers			ppeal Communication to Group otice of Appeal, Brief, Reply Brief)
After Final		Petition			☐ Pr	oprietary Information
Affidavits/decl	aration(s)	Petition to 0 Provisional		-	☐ St	atus Letter
Extension of Time	Request	Power of At Change of		evocation ndence Address		ther Enclosure(s) lease identify below):
Express Abandoni	ment Request	Terminal Di			PTO F	Form 1449
Information Disclo	sure Statement	CD, Numbe	r of CD(s)		
Certified Copy of F	Priority	Remarks				
Response to Missing Parts/ Incomplete Application		Mail Stop: Amendment				
Response to Missing Parts under 37 CFR 1.52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual name	Harness, Dickey &	Pierce, P.L.C.		Attomey Name Donald J. Daley		Reg. No. 34,313
Signature	a. L	Holly	De	, No. S	77	52
Date	March 4, 2009	UU			7	

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/574,112

Filing Date:

March 31, 2006

Applicant:

Masashi MORI, et al.

Group Art Unit:

1632

Examiner:

Unassigned

Title:

DNA FRAGMENT METHOD FOR PRODUCING

TRANSFORMANT FOR PROTEIN PRODUCTION AND

UTILIZATION THEREOF

Attorney Docket:

12480-000176/US

Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314 Mail Stop Amendment March 4, 2009

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form PTO-1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each
publication or that portion which caused it to be listed, other than U.S. patents and U.S.
patent application publications unless required by the Office; (iii) for each cited
pending unpublished U.S. application listed below in Section IV, the application
specification including the claims, and any drawing of the application, or that portion of
the application which caused it to be listed including any claims directed to that portion;
and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form PTO-1449 or on the copies of Form PTO-892, but which are not enclosed herewith,

U.S. Filing Date

were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

III.

IV.

C. Because the present application of the U.S. patents or U.S. patents attached Form PTO-1449 are \$1.98(a)(2)(i). Any foreign patent attached Form PTO-1449 are encountered form PTO-1449 are encountered form PTO-1449.	ent application public enclosed pursuant ent documents or no	cations which are li to the waiver of	isted on the 37 C.F.R.
D. This is a PCT application in A copy of the International Search The documents listed on the Internation 1449 for consideration by a from this application. Since the ITPO search authorities, copies of USPTO under the trilateral agrabove-identified application. (Mitable)	ch Report is attached national Search Report the Examiner and for international Search R f these references show the search and are believed.	for the Examiner's interest are listed on the attended in the listing on any paterest was from the lould have been sup	information. tached Form ent resulting US, EPO, or plied to the
CONCISE EXPLANATION OF	THE RELEVANCE	(check at least one b	ox)
A. \(\sum \) Except as may be indicated information are in the English land			
B. \(\infty\) A concise explanation of information listed that is not in \(\xi\) 1.98(a)(3)):			
<u> </u>	n: Canadian Office Ao ,540,668 dated Januar	ction corresponding	•
C. The following addition consideration.	nal information is	provided for the	Examiner's
CROSS REFERENCE TO RELA	ATED APPLICATION	<u>N(S)</u>	
A. The Examiner is advised the subject matter that may be related application(s) to the Examiner confidentiality provisions of 35 U	ed to the present application, Application	ication. By bringing	g this(these)
Serial No.	Filing Date	Art Un	ı <u>it</u>

V. THIS IDS IS BEING FILED UNDER

A. 🔀	37 C.F.R. § 1.97(b): (check <u>only</u> one box)
	1. within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
	2. within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
	3. before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
	4. before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.
в. 🗌 3	37 C.F.R. § 1.97(c): (check <u>only</u> one box)
	before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.
	1. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
	2. See the certification below. No fee is required.
C. 🗀	37 C.F.R. § 1.97(d):
	after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.
	1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI.	CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)
	The undersigned hereby certifies that:
	A. A each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or
	3. In no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
	Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.
VII.	TATEMENT UNDER 37 C.F.R. § 1.704(d)
	the undersigned hereby states that:
foreign any ind IDS.	each item of information contained in this IDS was cited in a communication from a patent office in a counterpart application and this communication was not received by vidual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this
VIII.	AYMENT OF FEES (check only one box)
	No fee is believed to be due in light of the above-noted status or above-provided ertification.
	A check in the amount of \$180.00 is enclosed for the above-identified fee.

U.S. Application No. 10/574,112 Attorney Docket No. 12480-000176/US Page 5 of 5

C. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

P.O. Box 8910

Reston, Virginia 20195

(703) 668-8000

DJD/BPS/EGH/mas

Enclosures:

Form PTO-1449(s) (1 sheet(s))

Document(s)

Canadian Office Action corresponding to Canadian Application No.

2,540,668 dated January 19, 2009